



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ms. Claire Rajan
Allen & Overy LLP
1101 New York Avenue NW
Washington D.C. 20005

JUL 12 2018

RE: MUR 7352
Hedley May L.P.

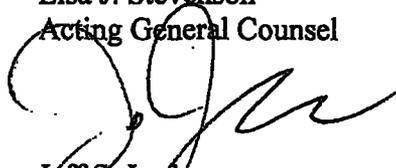
Dear Ms. Rajan:

On April 3, 2018, the Federal Election Commission ("Commission") notified your client of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). On July 11, 2018, based upon the information contained in the complaint and information provided by respondents, the Commission decided to find no reason to believe the allegation that Hedley May L.P. violated provisions of the Act. The Commission then closed its file in this matter. A copy of the Factual and Legal Analysis, which more fully explains the basis for the Commission's decision, is enclosed.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). If you have any questions, please contact Kristina Portner, the attorney assigned to this matter, at (202) 694-1518.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

BY: 
Jeff S. Jordan
Assistant General Counsel

Enclosure:
Factual and Legal Analysis

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

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2
3 RESPONDENTS: Gillibrand for Senate and MUR 7352
4 Keith Lowey in his official capacity as treasurer,
5 Senator Kirsten Gillibrand,
6 Hedley May L.P., and
7 Regina Glocker
8

9 This matter was generated by a complaint alleging violations of the Federal Election
10 Campaign Act of 1971, as amended (“the Act”) and Commission regulations by Gillibrand for
11 Senate and Keith Lowey in his official capacity as treasurer (“the Committee”)¹; Senator Kirsten
12 Gillibrand, Hedley May L.P., and Regina Glocker. It was scored as a low-rated matter under the
13 Enforcement Priority System, by which the Commission uses formal scoring criteria as a basis to
14 allocate its resources and decide which matters to pursue.

15 Based on a March 10, 2018, news article, the Complaint alleges that Hedley May L.P.
16 made a prohibited corporate contribution to the Committee. Specifically, complainant alleges
17 that Regina Glocker of Hedley May L.P. used corporate resources to conduct opposition
18 research for Kristen Gillibrand and the Committee, and that Hedley May was not compensated
19 for the research.² Glocker denies that she conducted any opposition research,³ Hedley May L.P.
20 denies that any corporate resources were used to provide services to Gillibrand or the

¹ Kirsten Gillibrand is a United States Senator from New York. Gillibrand for Senate is her principal campaign committee.

² Comp. at 1 (Mar. 27, 2018); see also Emily Smith, *How Kirsten Gillibrand is getting ‘dirt’ on her GOP opponent*, NEW YORK POST, Mar. 10, 2018, available at <https://pagesix.com/2018/03/10/how-kirsten-gillibrand-is-getting-dirt-on-her-gop-opponent/> (last visited June 14, 2018).

³ Glocker Resp. at 2 (May 18, 2018); see also *Id.* Ex. 1, Gale Kroeger Aff. at ¶ 4.

1 Committee,⁴ and Gillibrand and the Committee deny that they engaged or received any
2 opposition research from any person, including Glocker and Hedley May L.P.⁵

3 The Act and Commission regulations prohibit a candidate's principal campaign
4 committee from accepting corporate contributions, and prohibit a corporation from making a
5 contribution to a candidate's principal campaign committee.⁶ The provision of any goods or
6 services without charge or at a charge that is less than the usual and normal charge for such
7 goods or services is an in-kind contribution.⁷

8 There is no information available to suggest that Glocker or Hedley May L.P. provided
9 opposition research to Gillibrand or the Committee. The allegation is speculative and
10 Respondents have denied the allegation, including in a sworn affidavit from the Chief Financial
11 Officer of Hedley May L.P. Therefore, the Commission finds no reason to believe that
12 Gillibrand for Senate and Keith Lowey in his official capacity as treasurer, Senator Kirsten
13 Gillibrand, Hedley May L.P., or Regina Glocker violated 52 U.S.C. § 30118(a) or 11 C.F.R. §
14 114.2(b).

⁴ Hedley May L.P. Resp. at 1 (May 29, 2018).

⁵ Committee Resp. at 2 (Jun. 11, 2018).

⁶ 52 U.S.C. § 30118(a); 11 C.F.R. § 114.2(b).

⁷ 11 C.F.R. § 100.52(d).